

**SCHAEFER LAW GROUP, P.C.**

186 West Main Street  
Smithtown, NY 11787  
631-382-4800 FAX 631-382-4801

**APPLICATION GRANTED**

**SO ORDERED** 

**VERNON S. BRODERICK**

**U.S.D.J.**

BY ECF

Hon. Vernon S. Broderick  
United States District Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall  
United State Court House  
40 Foley Square  
New York, New York 10017

Plaintiff may file her memorandum of law in support of her motion by November 30, 2023. Plaintiff is advised that further extension requests are unlikely to be granted barring extenuating circumstances.

Dated: November 28, 2023

*Re: Lori Ostenfeld v. The Guardian Life Insurance Company of America, et al.*  
Case No. 22-cv-08265 (VSB)

Dear Judge Broderick:

This office represents plaintiff in the above referenced action. In accordance with the schedule previously ordered by the Court, plaintiff filed, earlier today, her Notice of Motion for Partial Summary Judgment, Local Rule 56.1 Statement, and Declaration of the undersigned in support of the motion, with attached exhibits.

Our office endeavored to complete the filing by finalizing a memorandum of law to be submitted in support of the motion. However, our efforts in this regard were complicated by the fact that I am scheduled to appear in Nassau County Supreme Court tomorrow morning for jury selection in a civil case, *James Belling, et. al v. City of Long Beach* (Nassau Co. Index No. 7520/2015). Consequently, we are compelled to seek a brief, three-day extension; up to and including, November 30, 2023, of the current filing deadline in order for us to complete plaintiff's submission.

The current briefing schedule calls for opposition to the motions (defendants have also moved for summary judgment) to be filed by December 27, 2023. Plaintiff is not seeking an extension of this deadline. There have been two previous extensions of the briefing schedule. While I have reached out to counsel for defendants, given the lateness of the hour he, not unreasonably, has yet to respond.

Hon. Vernon S. Broderick  
United States District Judge  
November 27, 2023  
Page Two

We thank the Court for its consideration of this application.

Respectfully submitted,

/s/

Wayne J. Schaefer

cc: Counsel of Record (by ECF)